

DECLARATION AND POWER OF ATTORNEY

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NUCLEIC ACIDS COMPRISING REGIONS OF THE RAT PEG-3 PROMOTER
THAT DISPLAY ELEVATED EXPRESSION IN HUMAN CANCER CELLS AND
USES THEREOF

and was amended _____ (if applicable)

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 (a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International Application which designated at least one country other than the United States, listed below. I have also identified below any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the earliest application from which priority is claimed:

Priority Claimed

[illegible]

Applicants: Paul B. Fisher and Zao-Zhong Shu
Serial No.: Not Yet Known
Filed: Herewith



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I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

<u>Provisional Application No.</u>	<u>Filing Date</u>	<u>Status</u>
N/A		

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s), or Section 365(c) of any PCT International Application(s) designating the United States listed below. Insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date(s) of such prior Application(s) and the national or PCT international filing date of this application:

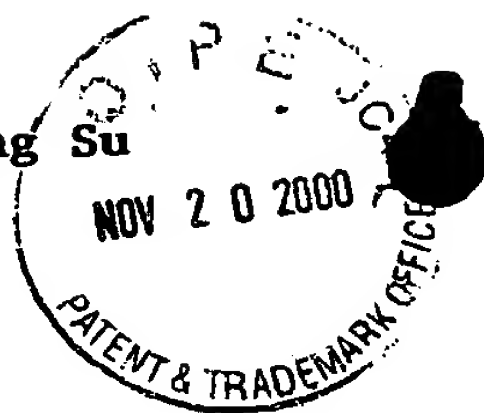
<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
N/A		

And I hereby appoint

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. 38,232); Paul Teng (40,837); Richard F. Jaworski (Reg. No. 33,515); Elizabeth M. Wieckowski (Reg. No. 42,226); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); Jane M. Love (Reg. No. 42,812); Spencer H. Schneider (Reg. No. 45,923) and Raymond A. Diperna (Reg. No. 44,063).

and each of them, all c/o Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Applicants: Paul B. Fisher and Zao-Zhong Su
Serial No.: Not Yet Known
Filed: Herewith



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Please address all communications, and direct all telephone call, regarding this application to:

John P. White Reg. No. **28,678**
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor **Paul B. Fisher**

Inventor's signature *Paul B. Fisher*

Citizenship **United States of America** Date of signature **8/4/00**

Residence **15 Gordon Place, Scarsdale, New York 10583, U.S.A.**

Post Office Address **same as above**

Full name of sole or first joint inventor **Zao-Zhong Su**

Inventor's signature *Zhaoyong Su*

Citizenship **China** Date of signature **Aug 2 / 2000**

Residence **705 West 170th Street, Apt. 24, New York, New York 10032, U.S.A.**

Post Office Address **same as above**